IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 22744 of 2003

Between:

J.Appala Narasimha s/o Subba Rao (Late)
Rayapurajupeta Primary Agriculture Cooperative Society Ltd.
Chowdavaram Mandal Visakhapatnam

..... PETITIONER

AND

1 Secretary Cooperative Department
The Government of A.P. Secretariat
Hyderabad.
2 The Commissioner for Cooperation and Registrar of Coop. Societies,
Nampalli Hyderabad
3 The Visakhapatnam District. Coop. Central Bank Ltd. Rep by its

General Manager, Visakahpatnam Visakhapatnam Dist.
4 The District Coop. Officer Visakhapatnam
Visakhapatnam Dist.
5 The Divisional Coop. Officer Visakhapatnam
Visakhapatnam Dist.
6 The Rayapurajupeta Primary Agricultural Cooperative Society ,

Chodavaram Mandal, Visakhapatnam Dist.

rep by its Person-in-charge /special Officer

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ or order or direction, more particularly one in the nature of writ of mandamus declaring the proceedings issued by the 5th respondent dated 29-07-2003 as illegal , arbitrary and hit by Article 14 and 21 of the Constitution of India consequently direct the respondents to pay the salaries to the petitioner as it were in existence as on the date of stoppage of the salaries .

Counsel for the Petitioner: MR.A.SATYA PRASAD

Counsel for the Respondents 1,2,4, AND 5 : GP FOR COOPERATION

Counsel for the Respondents 3 and 6: Mr T.Niranjan Reddy

The Court made the following:

O R D E R :

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The petitioner questions the proceedings of the 5th respondent-Deputy Registrar of Cooperative Societies, Visakhapatnam

dated-29.07.2003 made on the proposals submitted by the 6th respondent for approval of staffing pattern, pay scales and service conditions of employees of the society which is in conformity with Section 116-C of the A.P. Cooperative Societies Act, 1964 and Rules 28(4)(b) and 36(B) of the A.P. Cooperative Societies Act 7 of 1964 Rules.

2. I have already upheld the similar orders, which are in conformity with the mandatory provisions of Section 116-C of the A.P. Cooperative Societies Act, 1964, and Rules 28(4)(b) and 36(B) of the A.P. Cooperative Societies Act 7 of 1964 Rules in W.P.No.3171 of 2003 and Batch dated 30.8.2004.

3. Following the aforesaid judgment, the Writ Petition is dismissed. There shall be no order as to costs.

V. ESWARAIAH, J

Dated:04-11-2004.

ccm

To:

1 The Secretary, Cooperative Department
The Government of A.P. Secretariat Hyderabad.
2 The Commissioner for Cooperation and Registrar of Coop. Societies
Nampalli Hyderabad
3 The General Manager,The Visakhapatnam District. Coop. Central

Bank Ltd., Visakahpatnam Visakhapatnam Dist.
4 The District Coop. Officer Visakhapatnam, Visakhapatnam Dist.
5 The Divisional Coop. Officer Visakhapatnam Visakhapatnam Dist.
6 The Person-in-charge /special Officer, The Rayapurajupeta Primary

Agricultural Cooperative Society , Chodavaram

Mandal, Visakhapatnam Dist.

7. 2 CC to G.P. for Cooperation, High Court Buildings, Hyderabad (OUT)

8. 2 CD copies